

Support SB 164 on behalf of the Montana Ski Area Association

- Please support SB 164 which is having a hearing in Senate Business and Labor. The bill revises the definitions under MCA section 23-2-702.

- I wanted to share with you that skiing contributes over 80 Million dollars and over 1000 jobs to the Montana Economy. (2010 study by the University of Montana Institute of Tourism and Recreation). Most ski areas qualify as small businesses, have high equipment costs, are family run and weather dependent- similar to many family farms or ranches across Montana.

- Montana is similar to other states in the Rocky Mountain region (Idaho and Colorado) and has numerous statutes that define the responsibilities of ski areas and skiers. (MCA 23-2-702 through MCA 23-2-737.)

- SB 164 amends Montana's ski statute MCA 23-2-702, which (like Idaho and Colorado's ski statutes) requires skiers to take responsibility for injuries and damages that come from the conditions and dangers that are part of the sport of skiing.

- MCA 23-2-702 has worked well but needs an update to reflect changes in the sport of skiing. (Changes to where and how people are skiing). The definition of "inherent dangers and risks of skiing" is amended to address a growing number of skiers in Montana are seeking deep snow and exciting terrain. Changes in technology of skiing equipment such as fat skis and snowboards enable more people to access terrain where immersion and avalanche dangers exist.

- SB 164 adds to the definition of "snow conditions" to address the issue that ski areas can't eliminate the dangers posed by accumulated snow (immersion/tree wells) without limiting entire areas of a ski mountain.

- SB 164 changes the definition of "avalanche". The reality is that ski areas patrol and do avalanche mitigation but it is not possible to completely eliminate avalanches in all areas of a ski area. The change to "groomed" runs is reasonable as the best way for skiers to minimize avalanche danger is to stay on machine groomed runs. When skiers venture off groomed runs in search of fresh snow, they are taking a risk of avalanche.

- Additionally, the definition of "skiing" is amended as it needs to now include events and competitions, where skiers and snowboarders are performing tricks that would not have been imaginable a few years ago.

Link to the 2010 study by the University of Montana on the economic impact of skiing in Montana: http://scholarworks.umt.edu/cgi/viewcontent.cgi?article=1194&context=itr_pubs

Thank you for supporting SB 164.

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